



INDIANA UTILITY REGULATORY COMMISSION

APPLICATION BY E.COM TECHNOLOGIES,)
LLC FOR A CERTIFICATE OF FRANCHISE) CAUSE NO. 43175 VSP 01
AUTHORITY TO PROVIDE VIDEO)
SERVICES IN THE STATE OF INDIANA.) APPROVED: DEC 20 2006

BY THE COMMISSION:

Aaron A. Schmoll, Administrative Law Judge

On November 1, 2006, E.Com Technologies, LLC ("Applicant"), filed with the Indiana Utility Regulatory Commission ("Commission") its Application for a Certificate of Franchise Authority ("Application") to provide video service within the State of Indiana pursuant to Ind. Code § 8-1-34 *et seq.*

On November 27, 2006, Applicant supplemented its Application with additional information regarding its proposed designated service areas.

Based upon information contained in the Application and applicable law, the Commission makes the following findings:

1. **Commission Notice and Jurisdiction.** Notice of the Application was provided on the Commission's website in accordance with General Administrative Order 2006-5. The Applicant requests the issuance of a Certificate of Franchise Authority ("CFA") pursuant to Ind. Code § 8-1-34-17 and, therefore, the Commission has jurisdiction over the Applicant and the subject of this Cause.

2. **Commission Discussion and Findings.** The Applicant filed an application for a CFA on the application form prescribed by the Commission and provided information describing the video service that it is proposing to provide in (a) designated service area(s) within the State of Indiana. Applicant's proposed designated service areas include the areas identified on Attachment 1.

Based upon the information provided by the Applicant in its Application, the Commission finds the Application to be complete and properly verified. Therefore, in accordance with Ind. Code § 8-1-34-17(a), the Commission finds that a CFA for the video services within the designated service area(s) as identified in the Application should be issued to the Applicant and that the Applicant should be authorized to use and occupy public rights-of-way in the delivery of the requested video services, subject to state and local laws and regulations governing the use and occupancy of public rights-of-way and the police powers to enforce such laws and regulations. The granting of this CFA is subject to the Applicant's lawful provision and operation of video service.

In addition, as a condition of receiving this CFA, the Commission finds the Applicant shall comply with all applicable legal requirements pertaining to the construction and operation of video services authorized by this CFA, including without limitation, the following:

- a. Notice to the Commission of any changes involving the Applicant or this CFA pursuant to Ind. Code § 8-1-34-20(a);
- b. Ten (10) days advance notice to any unit or unincorporated area included in the designated service area covered by this CFA in which the Applicant does not already provide video service, that the Applicant intends to provide video service in the unit's or unincorporated area's jurisdiction as required by Ind. Code § 8-1-34-20(b);
- c. Advance notice to customers in the event of a change in rates and charges for video service in accordance with Ind. Code § 8-1-34-20(c)(1);
- d. Advance notice to customers in the event the Applicant will cease to offer video service or any specific video programming that it currently offers in any of the Applicant's designated service areas in Indiana pursuant to Ind. Code § 8-1-34-20(c)(2);
- e. Annual filing, by March 1 of each year, of a report indicating changes (e.g., deletions and additions) in video programming or other programming service during the previous calendar year pursuant to Ind. Code § 8-1-34-20(a)(6);
- f. Quarterly filing with the Commission of updated maps indicating, at the census block level, the portion of authorized designated service areas in which the Applicant is actually offering video service or a statement indicating that no changes occurred during the quarter pursuant to Ind. Code § 8-1-34-20(a)(7);
- g. Ensure that access to video service is not denied to any group of potential residential video subscribers because of the income of the residents of the local area in which such group resides in accordance with Ind. Code § 8-1-34-28(b) and 47 USC § 541(a)(3);
- h. Payment and performance of any rights, duties, and obligations owed to any private person as required by Ind. Code § 8-1-34-22(c);
- i. Payment of all fees owed to units and unincorporated areas included within Applicant's service area as required by Ind. Code § 8-1-34-24; and
- j. Compliance with any requirements that may be imposed by the Commission regarding channels for public, educational and governmental programming ("PEG Channels") as set forth in Ind. Code §§ 8-1-34-25, 26, 26.5 and 27, that may be required at the time of, or subsequent to, issuance of the Certificate, by

Commission rules, upon petition of a unit or unincorporated area included in the Applicant's designated service areas, or upon the Commission's own motion.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. Subject to the Findings set forth in this Order, the Applicant, E.Com Technologies, LLC, is hereby granted a Certificate of Franchise Authority to provide the requested video services in the Applicant's designated service areas within the State of Indiana.

2. Pursuant to Ind. Code § 8-1-34-17(a)(2), Applicant is granted authority to use and occupy public rights-of-way, subject to state and local laws and regulations and the police powers of local units to enforce such local laws governing the use and occupancy of public rights-of-way.

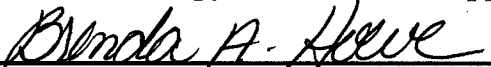
3. The authority granted in Order paragraphs 1 and 2 above is subject to the Applicant's lawful provision and operation of the video service.

4. This Order shall be effective on and after the date of its approval.

HARDY, LANDIS, SERVER, AND ZIEGNER CONCUR:

APPROVED: DEC 20 2006

I hereby certify that the above is a true and correct copy of the Order as approved.



Brenda A. Howe

Executive Secretary to the Commission

IURC Cause No. 43175-VSP-01

ATTACHMENT 1

Designated Service Areas (DSAs) E.Com Technologies, LLC.

Each DSA includes the entirety of the listed counties including the unincorporated areas of those counties within the townships listed and the corporate boundaries of the municipalities listed below under each DSA.

DSA	County	Incorporated Community (Units)	Township	Zip Code	
1	Boone	Advance	Jackson	46035	46149
		Jamestown	Center	46041	46167
		Lebanon	Sugar Creek	46050	46268
		Thorntown	Worth	46052	47933
		Ulen (Lebanon)	Eagle	46069	47968
		Whitestown	Clinton	46071	
		Zionsville	Harrison	46075	
			Jefferson	46077	
			Marion	46102	
			Perry	46112	
			Union	46147	
			Washington		
2	Hamilton	Arcadia	Jackson	46030	46069
		Atlanta	Clay	46031	46072
		Carmel	Noblesville	46032	46074
		Cicero	Delaware	46033	46077
		Fishers	Fall Creek	46034	46082
		Noblesville	Wayne	46037	46240
		Sheridan	Adams	46038	46250
		Westfield	White River	46040	46256
			Washington	46050	46260
				46055	46268
				46060	46278
				46061	46280
				46062	46290
				46064	47018

DSA	County	Incorporated Community (Units)	Township	Zip Code	
3	Marion	Acton	Pike	46032	46227
		Allisonville	Washington	46033	46228
		Ben Davis	Lawrence	46037	46229
		Bridgeport	Wayne	46038	46230
		Camby	Center	46055	46231
		Castleton	Warren	46077	46234
		Clermont	Decatur	46107	46235
		Crows Nest	Perry	46110	46236
		Five Points	Franklin	46112	46237
		Glens Valley		46113	46239
		Highwoods		46123	46240
		Homecroft		46126	46241
		Indianapolis(balance)		46140	46242
		Indian Lakes		46142	46244
		Lynhurst		46143	46247
		Mars Hill		46163	46249
		Meridian Hills		46183	46250
		New Augusta		46201	46251
		Nora		46202	46253
		North Crows Nest		46203	46254
		Oaklondon		46204	46255
		Ravenswood		46205	46256
		Rocky Ripple		46206	46259
		Snacks		46207	46260
		Spring Hills		46208	46266
		Traders Point		46209	46268
		Valley Mills		46211	46274
		Wanamaker		46214	46275
		Warren Park		46216	46277
		West Newton		46217	46278
		Williams Creek		46218	46280
		Wynnedale		46219	46282
		Beech Grove		46220	46283
		Cumberland		46221	46285
		Lawrence		46222	46290
		Southport		46223	46291
		Speedway		46224	46295
				46225	46296
				46226	46298